

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12746 of 2015**

Arising Out of PS.Case No. -11 Year- 2015 Thana -SONBERSA District- SITAMARHI

- =====
1. Mukesh Sah , son of Kapildeo Sah
  2. Ranjay Kumar, son of Bhoch Raut,
- Both are residents of Village- Ghurghura, P.S. Sonbarsa,  
District - Sitamarhi.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party : Mr. Akbar Ali(APP)

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      15-05-2015                      Heard learned counsel for the petitioners and the  
  
learned counsel for the State.

The petitioners are in custody since 19.1.2015 in connection with T.R. No.02/2015, arising out of Sonbarsa P.S. Case No.11 of 2015, registered for the offences under Section 354 of the Indian Penal Code and Sections 4, 5, 8, 10 of the Protection of Children from Sexual Offences Act, 2012 (in short 'POCSO Act').

Learned counsel for the petitioners submits that during the course of plucking *Sag* (spinach), some female members are said to have been attacked by these petitioners and an attempt was made to disrobe them. But such a contention was merely to

implicate the petitioners as there had been disputes between the two communities in the village. Learned counsel for the petitioners further submits that actually these petitioners have no criminal antecedents and the allegations made under POCSO Act are not made out as all the victims, who have appended the signatures to the F.I.R., are not children. Chargesheet has also not been submitted under the relevant Section of POCSO Act.

Considering the nature of the allegations and the fact that the petitioners have no criminal antecedents, let the above named two petitioners be released on bail on their furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Sri P.N. Singh, A.D.J.-I, Sitamarhi, in connection with T.R. No.02/2015, arising out of Sonbarsa P.S. Case No.11 of 2015.

**(Anjana Mishra, J)**

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